

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ROBERT FIREMAN and ANN RAIDER,

Plaintiffs,

v.

NEWS AMERICA MARKETING IN-STORE,
INC.,

Defendant.

Civil Action No. 05-11740-MLW

DECLARATION OF NATHANIEL HULME

1. I am currently a paralegal at Holland & Knight, LLP.
2. I have been primarily responsible for document management, and document production in the above case since August 2006.
3. I make this declaration based on my personal knowledge and a review of records concerning the production of documents in this matter.

NAM's Initial Production

4. By September, 2006, News America Marketing, Inc. ("NAM") had identified and compiled documents responsive to the Plaintiffs' First Set of Requests for Production of Documents and Things to Defendant (the "Requests for Production").
5. This initial production (the "Initial Production") included 60 three-ring binders of documents.
6. These 60 binders are identified in Exhibit 18 in the NAM Exhibit Binder as File Index Nos. 4.01-4.30, 11.0, 12.0, 13.0, and 14.0.

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on this 4th day of June, 2007.

/s/ Gordon P. Katz
Gordon P. Katz

7. The Initial Production also included 5 redwelds of materials, consisting of non-privileged documents from the files of Deborah Wolfe, Esquire. These are identified in Exhibit 18 as File Index Nos. 20.09.01 through 20.09.05.

8. Finally, the Initial Production included 17 banker's boxes that consisted of the working files of Raider and Fireman from their time at NAM, as well as promotional and other materials.

9. These banker's boxes contained approximately 290 individual files, and these files are identified on a 25 page Index of Files, that is included as Exhibit 19 in the NAM Exhibit Binder.

The Plaintiffs' Review of the Initial Production

10. On September 28, 2006, plaintiffs' counsel, David Rich ("Attorney Rich"), and the Plaintiffs, Robert Fireman ("Fireman") and Ann Raider ("Raider") came to the offices of Holland & Knight, LLP, to review this Initial Production.

11. At this review session, Plaintiffs' counsel and the Plaintiffs spent approximately five hours (from 10 a.m. to 3 p.m.) reviewing the documents.

12. Out of this production, they subsequently requested 3,532 pages of documents, which were sequentially numbered NAM00325 – NAM03857.

13. I transmitted these documents to the Plaintiffs by letter dated October 10, 2006. A true and accurate copy of this letter is included as Exhibit 20 in the NAM Exhibit Binder.

NAM's First Supplementation

14. As part of its ongoing response to the Plaintiffs' Requests for Production, NAM later compiled additional documents to supplement the Initial Production (the "Supplementary Production" or "First Supplementary Production").

15. This Supplementary Production included 18 binders of additional documents. These binders are identified on Exhibit 18, and consist of File Index Nos. 20.01.01 through 20.01.18.

16. This Supplementary Production also included (a) three redwelds of documents from Henri Lellouche, listed as File Index No. 20.02.01 through 20.02.03 on Exhibit 18; (b) one redweld of documents received from Marty Garofalo, listed as File Index No. 20.03 on Exhibit 18; and (c) one redweld of meeting minutes, listed as File Index No. 20.04 on Exhibit 18.

17. On February 1, 2007, Attorney Rich came to Holland & Knight, LLP to review this Supplemental Production.

18. Attorney Rich also requested to review the Initial Production once again. The Initial Production was made available again for Attorney Rich's review, with the exception of the 17 banker's boxes, which Attorney Rich agreed need not be produced again.

19. At the review session for the Supplemental Production, Plaintiffs' counsel spent approximately 5-6 hours (from 10:15 a.m. to 3-4 p.m.) reviewing the documents.

20. Out of the Supplemental Production, Plaintiffs' counsel later requested 1,108 pages of documents, which were sequentially numbered NAM03858 – NAM04966.

21. I transmitted these documents to the Plaintiffs by letter February 9, 2007. A true and accurate copy of this letter is attached as Exhibit 21 to the NAM Exhibit Binder.

NAM's Second Supplementation

22. In April of 2007, NAM further supplemented its responses to include additional meeting minutes. Rather than inspect these materials, Plaintiffs' counsel asked that they be copied in their entirety. These documents were sequentially numbered NAM04967 – NAM07225.

23. I transmitted the documents to plaintiffs' counsel by letter dated April 17, 2007.

A true and accurate copy of this letter is attached as Exhibit 22.

Substance of NAM's Production

24. I am familiar with the organization, structure, and substance of the documents NAM has produced in this matter.

25. Exhibit 23 consists of copies of the spines of the binders, with labels, as they were produced to the Plaintiffs. These binders are each listed in the File Index, Exhibit 4.

26. At the request of defense counsel, I have summarized below certain components of this production, specifically as the production relates to internal email and meeting minutes.

27. NAM's production includes 1,803 internal email – meaning email between NAM employees – that were produced in response to the Plaintiffs' Requests for Production.

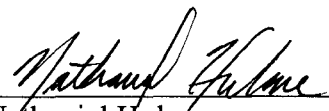
28. Exhibit 12 lists these email, identifying the date, author, recipients, and copy recipients on these email. These internal email cover the period beginning in 1999 and continue beyond the expiration of the Plaintiffs' contracts in 2004.

29. Exhibit 13 lists each of the individuals referenced in these email communications. These email were addressed to over 244 different NAM individuals.

30. Exhibit 14 lists the meeting minutes included in the production. Over 572 meeting minutes were produced, in response to the Plaintiffs' Requests for Production.

31. These minutes cover the period beginning in 1999 and continue beyond the expiration of the Plaintiffs' contracts in 2004.

Signed under the penalties of perjury this 4th day of June, 2007.


Nathaniel Hulme

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